

REMARKS/ARGUMENTS

Claims 1-21 are pending in the application. Applicants acknowledge the allowance of claims 1-15 and the allowability of claim 16. Claims 16, 17, and 21 have been amended. Claims 16 and 21 have been amended to address the section 112 rejections. Accordingly Applicants respectfully request the removal of these rejections. No new matter has been incorporated by these amendments.


Rejection under 35 USC 102

Claims 17-21 were rejected as being anticipated by Binford. Claim 17 has been amended to incorporate subject matter indicated as allowable. In particular the feature of the central processing unit further configured to execute code to determine whether a data transfer queue is running at an equivalent transfer rate as a command queue and to adjust a catch-up threshold to reduce an imbalance between a number of writes to the command queue and a number of writes to the data transfer queue, has been added to claim 17. Binford fails to teach or disclose this feature. Accordingly, Applicants respectfully request that the rejection of claim 17, and dependent claims 18-21 be removed for at least these reasons.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. A notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 774-6921. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit

Account No. 50-0805 (Order No. SUNMP239). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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